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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,135	10/27/2003	Hyoung-Soo Lim	3364P104	6443
8791	7590	09/04/2007	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				CHOI, EUNSOOK
ART UNIT		PAPER NUMBER		
2616				
			MAIL DATE	DELIVERY MODE
			09/04/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/695,135	LIM ET AL.
	Examiner	Art Unit
	Eunsook Choi	2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 06 August 2007.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-14 is/are pending in the application.  
 4a) Of the above claim(s) 5-14 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-4 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 27 October 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: The specification recites "TEMINAL", "IMFORMATION", and "COMPLERTED" in Fig. 12-18. Appropriate correction is required.

### ***Election/Restrictions***

2. Applicant's election of Group I, claims 1-4, in the reply filed on 8/6/2007 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Claims 5-13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to nonelected groups II and III.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanabe et al. (US Patent 5754947).

Regarding claim 1, Tanabe teaches setting up a control connection between the receiver and the transmitter (from step R to R12 in Fig. 16), checking a reception status of MPDUs by frames when traffic exists (from step R14 to R17 in Fig. 16), creating an ACK message for data transmission in a previous frame and sending it to the transmitter (step R18 in Fig. 16), and disconnecting the control connection when the traffic ends (steps R22 and R23 in Fig. 16).

Regarding claim 2, Tanabe teaches analyzing the ACK message and determining whether to resend the MPDUs (in Col. 17 Lines 29-42, the data frames which have not been confirmed by the acknowledgement frame is retransmitted 5 times at most).

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanabe et al. (US Patent 5754947) as applied to claim 1 above, and in view of Gubbi (US Patent 6934752).

Regarding claim 3, Tanabe teaches the limitations for claim 1 as applied above. However, Tanabe does not expressly teach the ACK message includes the first and last sequence numbers successfully received. Gubbi, in the same field of endeavor, teaches Ack-win Begin Sequence number 543 and Ack-Win End Sequence number 544 in Fig. 54 and Retransmission Scheme in section 8.7.2. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to includes the first and last sequence numbers successfully received in the ACK message in order to provide an efficient mechanism to combine the management commands into one frame (Col. 6 Lines 51-52).

Regarding claim 4, Tanabe and Gubbi teach the limitations for claim 3 as applied above. Tanabe teaches resending MPDUs other than the range of the sequence numbers reported through the ACK message (in Col. 17 Lines 29-42, the data frames which have not been confirmed by the acknowledgement frame is retransmitted 5 times at most).

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eunsook Choi whose telephone number is 571-270-1822. The examiner can normally be reached on Monday-Friday 8:00-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 571-272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Eunsook Choi  
8/22/2007



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